

PLD-PI-001

~~AFTER 4:00 P.M.~~

AFTER 4:00 P.M.		FOR COURT USE ONLY
<div style="font-size: small; margin-bottom: 5px;">ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)</div> <div style="margin-bottom: 5px;">AUGUSTO FOCIL JR., SBN 277646 / MATTHEW MORRISON, SBN 280825</div> <div style="margin-bottom: 5px;">FOCIL LAW FIRM</div> <div style="margin-bottom: 5px;">200 SOUTH A STREET, SUITE 200A</div> <div style="margin-bottom: 5px;">OXNARD, CA 93030</div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%;">TELEPHONE NO 805-832-4179</div><div style="width: 45%;">FAX NO (Optional) 805-832-4189</div></div> <div style="margin-top: 5px;">E-MAIL ADDRESS (Optional) afocil@focillaw.com</div> <div style="margin-top: 5px;">ATTORNEY FOR (Name) Sandra Martinez</div>		
<div style="margin-bottom: 5px;">SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</div> <div style="margin-bottom: 5px;">STREET ADDRESS 800 South Victoria Ave.</div> <div style="margin-bottom: 5px;">MAILING ADDRESS</div> <div style="margin-bottom: 5px;">CITY AND ZIP CODE Ventura, CA 93009</div> <div style="margin-bottom: 5px;">BRANCH NAME Hall of Justice</div>		
<div style="margin-bottom: 5px;">PLAINTIFF Sandra Martinez</div> <div style="margin-bottom: 5px;">DEFENDANT Patrick Villa and Norma Medrano</div> <div style="margin-top: 5px;"><input checked="" type="checkbox"/> DOES 1 TO 10</div>		
<div style="margin-bottom: 5px;">COMPLAINT—Personal Injury, Property Damage, Wrongful Death</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> AMENDED (Number):</div> <div style="margin-bottom: 5px;">Type (check all that apply):</div> <div style="display: flex; justify-content: space-between; margin-bottom: 5px;"><div><input checked="" type="checkbox"/> MOTOR VEHICLE</div><div><input type="checkbox"/> OTHER (specify):</div></div> <div style="display: flex; justify-content: space-between; margin-bottom: 5px;"><div><input type="checkbox"/> Property Damage</div><div><input type="checkbox"/> Wrongful Death</div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> Personal Injury</div><div><input type="checkbox"/> Other Damages (specify):</div></div>		CASE NUMBER
<div style="margin-bottom: 5px;">Jurisdiction (check all that apply):</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE</div> <div style="margin-bottom: 5px;">Amount demanded <input type="checkbox"/> does not exceed \$10,000</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000</div> <div style="margin-bottom: 5px;"><input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> from limited to unlimited</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> from unlimited to limited</div>		

1. **Plaintiff (name or names):** Sandra Martinez
alleges causes of action against **defendant (name or names):**
Patrick Villa and Norma Medrano
2. This pleading, including attachments and exhibits, consists of the following number of pages: 4
3. Each plaintiff named above is a competent adult
- a. ☐ **except** plaintiff (name):
- (1) ☐ a corporation qualified to do business in California
- (2) ☐ an unincorporated entity (describe):
- (3) ☐ a public entity (describe):
- (4) ☐ a minor ☐ an adult
- (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
- (b) ☐ other (specify):
- (5) ☐ other (specify):
- b. ☐ **except** plaintiff (name):
- (1) ☐ a corporation qualified to do business in California
- (2) ☐ an unincorporated entity (describe):
- (3) ☐ a public entity (describe):
- (4) ☐ a minor ☐ an adult
- (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
- (b) ☐ other (specify):
- (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

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- 4 ☐ Plaintiff (name):
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- c. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- b. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- d. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

- a. ☒ Doe defendants (specify Doe numbers): 1 to 10, inclusive _____ were the agents or employees of other named defendants and acted within the scope of that agency or employment.

- b. ☒ Doe defendants (specify Doe numbers): 1 to 10, inclusive _____ are persons whose capacities are unknown to plaintiff

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

- a. ☐ at least one defendant now resides in its jurisdictional area
b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.
d. ☐ other (specify):

9. ☐ Plaintiff is required to comply with a claims statute, and

- a. ☐ has complied with applicable claims statutes, or
b. ☐ is excused from complying because (specify):

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10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

- a. ☒ Motor Vehicle
- b. ☐ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☐ Premises Liability
- f. ☐ Other (*specify*):

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☒ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☒ property damage
- f. ☒ loss of earning capacity
- g. ☐ other damage (*specify*):

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*).

- (1) ☒ according to proof
- (2) ☐ in the amount of \$

15. ☒ The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):
All paragraphs herein

Date September 28, 2020

Matthew Morrison

(TYPE OR PRINT NAME)


(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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FIRST

CAUSE OF ACTION—Motor Vehicle

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

Plaintiff (name): Sandra Martinez

MV- 1. Plaintiff alleges the acts of defendants were negligent; the acts were the legal (proximate) cause of injuries and damages to plaintiff, the acts occurred

on (date): December 25, 2018

at (place):

State Route 126 approximately 50 feet west of Peck Road, Santa Paula, California

MV- 2. DEFENDANTS

a ☒ The defendants who operated a motor vehicle are (names):
Patrick Villa, Norma Medrano, and☒ Does 1 _____ to 10 _____b. ☒ The defendants who employed the persons who operated a motor vehicle in the course of their employment are (names):
Patrick Villa, Norma Medrano, and☒ Does 1 _____ to 10 _____c. ☒ The defendants who owned the motor vehicle which was operated with their permission are (names):
Patrick Villa, Norma Medrano, and☒ Does 1 _____ to 10 _____d. ☒ The defendants who entrusted the motor vehicle are (names):
Patrick Villa, Norma Medrano, and☒ Does 1 _____ to 10 _____e. ☒ The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):
Patrick Villa, Norma Medrano, and☒ Does 1 _____ to 10 _____f. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are
☐ listed in Attachment MV-2f ☐ as follows:☒ Does _____ to _____

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